

## COUNCIL ON MENTALLY ILL OFFENDERS

<http://www.cdcr.ca.gov/comio/index.htm>

### MINUTES

March 14, 2007

This meeting was held in conjunction with the California Forensic Mental Health Association's annual conference at the Embassy Suites Hotel Conference Center in Seaside.

#### **In Attendance:**

##### Council Members

James E. Tilton, Undersecretary, CDCR (Chairperson)  
Stephen W. Mayberg, Director, Department of Mental Health (Vice-Chairperson)  
Wendy Lindley, Judge, Orange County Superior Court  
Jo Robinson, M.F.T., Assistant Director, San Francisco Jail Psychiatric Services  
Dave Lehman, Chief Probation Officer (Retired), Humboldt County  
Charles L. Walters, Ph.D., Assistant Sheriff, Orange County Sheriff

##### Support Staff

Bruce Slavin, General Counsel, Office of the Secretary, CDCR  
Allan Lammers, Executive Officer

##### Interested Parties

Stephen V. Manley, Judge, Superior Court of California, Santa Clara County  
Helene Zentner, Corrections Standard Authority, Consultant, Sacramento  
Karen Moen, Collaborative Justice Project, Administrative Office of the Courts  
Lori Rifkin, Attorney, Rosen, Bien, and Galvan  
Roberta English, NAMI, Marin County  
Howard Black, NAMI, Orange County  
Jean Mariani, San Francisco Sheriff's Department  
Pam Rogers-Wyman, Santa Cruz County Mental Health  
Kevin Smith, Orange County Health Care Agency/BHS  
Maurizio Assanori, San Bernardino Cares  
Renee Wilkinson, LA CONRAP  
Davis Robinson, Santa Clara County D.O.C. – Chaplain  
Sheryl Curl, Orange County Health Care/CMH  
Dana Garel, Eli Lilly and Company  
Cynthia Soruco, Orange County Health Care/CMH  
Larry Rochelle, CDCR – Central Valley Parole  
Robert Hart, San Joaquin County BHS  
Joel Fay, San Rafael Police Department  
Maureen Balaam, Monterey County Behavioral Health  
Robert Jackson, Monterey County Mental Health  
Ken Carabello, Forensic Mental Health Association of California (President)  
William Reese, CDCR-CTF

#### **Absent:**

Council Members Duane E. McWaine, M.D., Medical Director, DHCMHC, Los Angeles, David Meyer, J.D., USC Institute of Psychiatry, Law, and Behavioral Science James W. Sweeney, Legislative Advocate, California State NAACP, Sacramento. Dr. McWaine's flight could not land due to fog and Dr. Meyer was unable to attend due to health reasons.

Support Staff Patricia Mook, Executive Assistant, Office of Facilities Management, CDCR

#### **AGENDA ITEM 1 - Opening Comments/Previous Meeting Minutes**

Chairperson Tilton called the meeting to order at 10:05 a.m., roll was taken, and a quorum was present. Guests were welcomed and introductions were made.

Jo Robinson moved and Vice-Chairperson Steve Mayberg seconded that the minutes of the last meeting held on January 18, 2007 be approved. The motion was passed.

## **AGENDA ITEM 2 – Legislation Discussion**

Chairperson Tilton noted that we have a significant gap in appropriate transitional services and reported that he has had discussions with Senator Steinberg regarding allocating funds for transitioning out individuals from the institutions. The Senator suggested that COMIO be engaged in those discussions as well as obtaining input on SB 851. Judge Manley pointed out that we can really make Mental Health Courts happen even before legislation is passed if a conscious effort is made to identify and marshal community resources. He also suggested that there should be attempts to modify Prop. 63 for the purpose of providing services to parolees. It was agreed to form a subcommittee to address these issues and to work with Secretary Tilton. Judge Manley agreed to chair the subcommittee.

## **AGENDA ITEM 3 – Minimum Standards for Assessing Mental Incompetence**

It was suggested that COMIO bring back Dr. Charles Scott from U.C. Davis to discuss his suggestions in this area for the next meeting, if he is available. The question was raised as to whether the AOC would be willing to endorse standards as guidelines rather than be dependent upon the development of legislation. Further discussion will need to be undertaken in this area. Dave Meyer will contact Dr. Scott.

## **Agenda Item 4 – Letter to Counties**

With fog problems prohibiting Dr. McWain to get to today's meeting, this item was tabled. Previously, the Council discussed the draft and recommended limiting the letter to one page and adding an accompanying brief survey so that all counties will be responding to the same format.

## **Agenda Item 5 – COMIO Website - <http://www.cdcr.ca.gov/comio/index.htm>**

Council Member Charles Walters announced that his initial proposal offered at the January meeting for a COMIO website had been successfully implemented as a result of a coordinated effort between OCSD and CDCR. The design and development of the website is complete and it will pull together links to other workgroups/agencies, basic information on programs, and legislation pertaining to mentally ill offenders. Additional input from DMH to enhance the mental health links will be needed in the future. Chairperson Tilton expressed his appreciation for the fine effort of dedication and coordination from the OCSD to make this happen so quickly.

## **AGENDA ITEM 6 - The New Mentally Ill Offender Crime Reduction (MIOCR) Grant Program**

Presenter: Helene Zentner from the Corrections Standards Authority (CSA)

As a follow-up to the overview of the new MIOCR grant process provided to Council Members at the last meeting, Ms. Zentner outlined the data element collection process that is being initiated by the counties and the CSA. While no actual data will be available for several months, the Council had previously expressed interest in learning about this approach. The consensus of the Council is that such data collection is critical to the legislature's understanding for a need for future funding and will also provide important statistical information for documenting 'Best Practices'. At the next COMIO meeting, the CSA will offer information on the training approach for local counties involved in the MIOCR project.

## **AGENDA ITEM 7 – Information Items**

Mr. Howard Black, representing NAMI Orange County, requested time to address the Council and provided a significant package of material for each Council Member to review. The package included information on Laura's Law (Law of Assisted Outpatient Treatment), a presentation by the Executive Director of the National Sheriff's Association regarding "Shifting the Responsibility of Untreated Mental Illness Out of the Criminal Justice System", a "Community Court Concept Paper" from Orange County and a variety of news and magazine

articles as well as numerous editorials. The major priorities that Mr. Black suggested for the Council to consider were:

- 1) Implement 1431 in every court
- 2) Review Evidence Based programs for implementation consideration
- 3) Demand proper police training (CIT)
- 4) Implement the 2000 Hoover Commission recommendation to establish a Mental Health Commission made up of business leaders as well as governmental entities such as CDCR and DMH.

**OLD BUSINESS –**

None

**NEW BUSINESS –**

Council Member Jo Robinson suggested an issue for Council discussion. She questions what are the options for counties that are State Hospital sites and who must hold inmates charged with violent crimes committed while in the State Hospital? They are held under Title 15 and cannot be placed as 5150s back in the State Hospital. How is a county expected to deal with this and cover the costs as well?

**ADJOURNMENT -**

Motion was made and seconded to adjourn the meeting. The motion was passed and the meeting was adjourned at 11:50 a.m.

**The next meeting will be held in Sacramento at CDCR Headquarters on Thursday May 17, 2007.**

MINUTES RECORDED AND SUBMITTED BY:

Allan Lammers,  
Executive Officer, COMIO